REMARKS

In response to the Official Action mailed October 6, 2003, Applicant amends his application and requests reconsideration. In this Amendment, claims 15 and 16 are added and no claims are canceled so that claims 1-16 are now pending. No new matter has been added.

Claims 15 and 16 are added to depend from claims 1 and 9, respectively, and recite that the estimated time is based on display timing information acquired from the presentation surface set (see element 500, Figure 5 and paragraphs 44-45 of the patent application).

The Official Action rejected claims 1-9 as anticipated by Applicant Admitted Prior Art (AAPA). That rejection is respectfully traversed.

The AAPA fail to teach all of the features of claims 1 and 9. Namely, the AAPA fails to teach receiving notification of an estimated time when a future frame will be displayed on the display device. The Official Action contends that this feature is taught by the AAPA at page 7, lines 17-29 of the patent application. However, Applicant finds no support for that contention. The cited text of the patent application says nothing of receiving an estimated time for anything. Accordingly, Applicant is confused as to how the Official Action construes the AAPA as receiving an estimated time when a future frame will be displayed. In fact, Applicant notes repeatedly in the AAPA that the prior art display source 106 has no access to display timing information (see paragraph 32, lines 1-2; paragraph 34, line 3; and paragraph 36, lines 7-9 of the patent application). Thus, the fact that the prior art display source lacks access to display timing information precludes the contention that it receives an estimated time when a future frame will be displayed. By contrast, the present invention does have access to display timing information in that it receives an estimated time when a future frame will be displayed.

Moreover, the only mention of an estimated time in the AAPA lies in paragraph 36 of the patent application. However, the display source described in that paragraph performs its own estimation of when the display device will display a next frame (see paragraph 36, lines 6-9 of the patent application). Thus, the display source of the prior art does not *receive* an estimated time. Furthermore, the display source does not prepare display information based, at least in part, on the estimated time estimated by the display source. Instead, the display source uses the estimated time to calculate a waiting time in which the display source is not preparing any information at all (see paragraph 36, lines 3-12 of the patent application). Accordingly, the AAPA teaches neither receiving an estimated time, nor preparing display information based on that estimated time. Thus, the AAPA clearly fails to teach all of the elements of claims 1 and 9, and the rejection of claims 1-9 should be withdrawn.

The Official Action rejected claims 10-14 as unpatentable over AAPA in view of Cunniff et al. (US Patent 6,476,806, hereinafter Cunniff). That rejection is respectfully traversed.

Cunniff relates to a method and apparatus for performing occlusion testing in a graphics display system. In Cunniff, the system determines whether objects were occluded in the previously displayed frame. Objects that were not occluded in that frame are then rendered in the frame buffer for the current frame (see column 2, lines 58-64). Because the system determines whether objects were occluded after they have already been displayed, clearly the system of Cunniff is rendering occluded objects. By contrast, the present invention determines, before any image is prepared or rendered, which objects are non-occluded, and prepares only the non-occluded objects.

The combination of the AAPA and Cunniff fails to teach or suggest all of the limitations of amended claims 10 and 14. Cunniff does not disclose preparing only non-occluded portions of the display information, and not preparing occluded portions of the display information. In Cuniff, occluded display information is prepared and rendered in a display frame. After the frame is displayed, the occluded portions of the image are noted and that information is used in preparing the next image (see column 5, lines 10-13 of Cunniff). Accordingly, for Cunniff to obtain occlusion results, it must inherently display occluded objects in the display frame. Thus, Cunniff cannot teach or suggest the limitations of the present invention, which require that only non-occluded objects are displayed. Because the AAPA does not teach or suggest those limitations absent in Cunniff, *prima facie* obviousness has not been established, and the rejection of claims 10-14 should be withdrawn.

Reconsideration and withdrawal of the rejections are earnestly solicited.

Respectfully submitted,

A. Wesley Ferrebee, Reg. No. 51,312
LEYDIG, VOIT & MAYER
700 Thirteenth Street, N.W., Suite 300
Washington, DC 20005-3960
(202) 737-6770 (telephone)
(202) 737-6776 (facsimile)

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Amendment or ROA - Regular (Revised 9/03/03)